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HOUSE BILL 193

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

PATSY G. TRUJILLO

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 22-15-9 NMSA 1978 (BEING LAWS 1967, CHAPTER 16, SECTION 213, AS AMENDED) TO INCREASE THE DISTRIBUTION TO SCHOOL DISTRICTS FROM THE INSTRUCTIONAL MATERIAL ACCOUNTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 22-15-9 NMSA 1978 (being Laws 1967, Chapter 16, Section 213, as amended) is amended to read:

"22-15-9. INSTRUCTIONAL MATERIAL ACCOUNTS-- CREDIT ALLOCATIONS. --

A. The department of education shall establish a separate instructional material account for each school district, state institution, private school or adult basic education center in the state having students in attendance entitled to the free use of instructional material pursuant to

Underscored material = new
[bracketed material] = delete

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[bracketed material] = delete

1 the Instructional Material Law.

2 B. On or before July 1 of each year, the department
3 of education shall allocate credit to the instructional material
4 account of each school district, state institution or private
5 school not less than ninety percent of its estimated entitlement
6 as determined from the estimated forty-day membership for the
7 next school year. A school district's, state institution's or
8 private school's entitlement is that portion of the total amount
9 of the annual appropriation less a deduction for a reasonable
10 reserve for transportation charges and emergency expenses that
11 its forty-day membership bears to the forty-day membership of
12 the entire state. The allocation for adult basic education
13 shall be based on a full-time-equivalency obtained by
14 multiplying the total previous year's enrollment by .25. For
15 the purpose of this allocation, additional pupils shall be
16 counted as four pupils.

17 On or before January 15 of each year, the department of
18 education shall recompute each entitlement using the forty-day
19 membership for that year, except for adult basic education, and
20 shall allocate the balance of the annual appropriation
21 compensating for any over- or under-estimation of credit made in
22 the first allocation. In the event the funds remaining for this
23 allocation are insufficient to compensate for an over- or
24 under-estimation of credit made in the first allocation, the
25 final recomputed over- or under-allocation of credit shall be

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1 carried forward by the department of education to be credited or
2 debited to the allocation for the ensuing school year.

3 C. An amount not to exceed [~~thirty~~] fifty percent of
4 total credit allocations attributed to each individual
5 instructional material account [~~shall~~], at the request of the
6 local school district or the appropriate governing body and
7 institution, shall be distributed directly to each public school
8 district, state institution or adult basic education center for
9 instructional materials not included on the multiple list
10 provided for in Section 22-15-8 NMSA 1978.

11 D. Any balance remaining in an instructional
12 material account of a school district, state institution,
13 private school or adult basic education center at the end of the
14 fiscal year shall remain available for expenditure in subsequent
15 years. "